

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LABORERS LOCAL 100 AND 397 HEALTH AND WELFARE FUND and LABORERS LOCAL 100 AND 397 PENSION FUND, individually and on behalf of all others similarly situated,

Plaintiffs,

v.

BANK OF NOVA SCOTIA, NEW YORK AGENCY; BARCLAYS CAPITAL INC.; BMO CAPITAL MARKETS CORP.; BNP PARIBAS SECURITIES CORP.; CANTOR FITZGERALD & CO.; CITIGROUP GLOBAL MARKETS INC.; COUNTRYWIDE SECURITIES CORPORATION; CREDIT SUISSE SECURITIES (USA) LLC; DAIWA CAPITAL MARKETS AMERICA INC.; DEUTSCHE BANK SECURITIES INC.; GOLDMAN, SACHS & CO.; HSBC SECURITIES (USA) INC.; JEFFERIES LLC; J.P. MORGAN SECURITIES LLC; MERRILL LYNCH, PIERCE, FENNER & SMITH INCORPORATED; MIZUHO SECURITIES USA INC.; MORGAN STANLEY & CO. LLC; NOMURA SECURITIES INTERNATIONAL, INC.; RBC CAPITAL MARKETS, LLC; RBS SECURITIES INC.; SG AMERICAS SECURITIES, LLC; TD SECURITIES (USA) LLC; and UBS SECURITIES LLC,

Defendants.

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DOC #: _____
DATE FILED: 10/9/15

Civil Action No. 1:15-cv-07385-PGG

**STIPULATION SETTING TIME FOR DEFENDANTS TO
ANSWER, MOVE, OR OTHERWISE RESPOND TO THE COMPLAINT
AND FOR THE PARTIES TO PROPOSE CERTAIN CASE MANAGEMENT DATES**

WHEREAS, on July 23, 2015, plaintiff State-Boston Retirement System filed a complaint in Case No. 1:15-cv-05794 in the Southern District of New York ("State Boston case");

WHEREAS, on July 23, 2015, plaintiffs Beaver County Employees' Retirement Fund, Erie County Employees' Retirement System, and Lackawanna County Employees' Retirement Fund filed a complaint in the above-captioned case ("Beaver County case");

WHEREAS, on July 24, 2015, plaintiff Arkansas Teacher Retirement System filed a complaint in Case No. 1:15-cv-05830 in the Southern District of New York ("Arkansas Teacher case");

WHEREAS, on July 24, 2015, plaintiff Marc G. Federighi filed a complaint in Case No. 1:15-cv-05843 in the Southern District of New York ("Federighi case");

WHEREAS, on July 28, 2015, plaintiffs United Food and Commercial Workers Union and Participating Food Industry Employers Tri-State Pension Fund filed a complaint in Case No. 1:15-cv-05931 in the Southern District of New York ("United Food case");

WHEREAS, on July 29, 2015, plaintiff Inter-Local Pension Fund Graphic Communications Conference of the International Brotherhood of Teamsters filed a complaint in Case No. 1:15-cv-5939 in the Southern District of New York ("Inter-Local case");

WHEREAS, on July 29, 2015, plaintiff United International Insurance Company filed a complaint in Case No. 1:15-cv-05957 in the Southern District of New York ("UI Insurance case");

WHEREAS, on July 30, 2015, plaintiff IBEW Local 640 Arizona Chapter NECA Pension Trust Fund filed a complaint in Case No. 1:15-cv-06003 in the Southern District of New York ("IBEW case");

WHEREAS, on August 3, 2015, plaintiff City of Pontiac Police and Fire Retirement System filed a complaint in Case No. 1:15-cv-06072 in the Southern District of New York ("City of Pontiac Police case");

WHEREAS, on August 4, 2015, plaintiff Rutgers Enhanced Insurance Company filed a complaint in Case No. 1:15-cv-06129 in the Southern District of New York ("Rutgers case");

WHEREAS, on August 5, 2015, plaintiff Michael St. John filed a complaint in Case No. 1:15-cv-6139 in the Southern District of New York (“Michael St. John case”);

WHEREAS, on August 17, 2015, plaintiff Oklahoma Firefighters Pension and Retirement System filed a complaint in Case No. 1:15-cv-06474 in the Southern District of New York (“Oklahoma case”);

WHEREAS, on August 26, 2015, plaintiffs Cleveland Bakers and Teamsters Pension Fund, Cleveland Bakers and Teamsters Health and Welfare Fund, and Masterinvest Kapitalanlage GMBH filed a complaint in Case No. 1:15-cv-06782 in the Southern District of New York (“Cleveland case”);

WHEREAS, on August 28, 2015, plaintiff United Food and Commercial Workers Local 1776 & Participating Employers Pension Fund filed a complaint in Case No. 15-cv-6853 in the Southern District of New York (“CW Local 1776 case”);

WHEREAS, on September 1, 2015, plaintiff Marina Fouts filed a complaint in Case No. 15-cv-6892 in the Southern District of New York (“Fouts case”);

WHEREAS, on September 4, 2015, plaintiff Employees’ Retirement System of Rhode Island filed a complaint in Case No. 15-cv-7006 in the Southern District of New York (“Rhode Island case”);

WHEREAS, on September 10, 2015, plaintiff City of Atlanta Firefighters’ Pension Fund filed a complaint in Case No. 15-cv-7111 in the Southern District of New York (“Atlanta Firefighters’ case”);

WHEREAS, on September 16, 2015, plaintiff H. Rogers Varner, Jr. filed a complaint in Case No. 15-cv-7325 in the Southern District of New York (“Varner case”);

WHEREAS, on September 16, 2015, plaintiffs Jane Franklin and Jonathan Richard Williamson filed a complaint in Case No. 15-cv-7329 in the Southern District of New York (“Franklin case”);

WHEREAS, on September 17, 2015, plaintiffs Laborers Local 100 and 397 Health and Welfare Fund and Laborers Local 100 and 397 Pension Fund filed a complaint in Case No. 15-cv-7385 in the Southern District of New York (“Laborers Local case”);

WHEREAS, on September 17, 2015, plaintiff Bank of Jerusalem, Ltd. filed a complaint in Case No. 15-cv-7390 in the Southern District of New York (“Bank of Jerusalem case”);

WHEREAS, on September 18, 2015, plaintiff Alaska Electrical Pension Fund filed a complaint in Case No. 15-cv-7420 in the Southern District of New York (“Alaska case”);

WHEREAS, on September 21, 2015, plaintiff Employees’ Retirement System of the Government of the Virgin Islands filed a complaint in Case No. 15-cv-55 in the District of the Virgin Islands (“Virgin Islands case”);

WHEREAS, on September 22, 2015, plaintiff Endeavor Trading, LLC filed a complaint in Case No. 15-cv-7481 in the Southern District of New York (“Endeavor case”);

WHEREAS, on September 24, 2015, plaintiff Police Retirement System of St. Louis filed a complaint in Case No. 15-cv-8417 in the Northern District of Illinois (“St. Louis Police case”);

WHEREAS, the allegations in the aforementioned matters, including the Laborers Local case, are substantially similar, some but not all of the aforementioned matters have been consolidated, and other plaintiffs may file additional complaints asserting substantially similar allegations and claims (collectively, the “Related Actions”);

WHEREAS, there has been no prior request to extend any deadlines in the above-captioned lawsuit;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED:

1. The undersigned counsel accept service of the complaint in the above-captioned lawsuit on behalf of their respective clients, expressly reserving the right to contest whether any party in the complaint is properly named, and without waiver of any defenses, including those related to

personal jurisdiction and venue, except as to the sufficiency of process and the service of process.

2. Defendants' time to answer, move or otherwise respond to the complaint is hereby suspended until such time as the United States District Court for the Southern District of New York or any other court to which the case is assigned enters an order coordinating or consolidating the foregoing cases and any Related Actions, provided that: upon resolution of proceedings concerning coordination or consolidation of the foregoing cases and any Related Actions, the parties shall confer in good faith regarding a proposed schedule for filing and responding to any consolidated complaint.

3. If Defendants' time to answer, move, or otherwise respond to a complaint in any Related Action or other pending action is not similarly suspended pending the coordination or consolidation proceedings, the parties shall meet and confer in good faith concerning the schedule in this action, with each side preserving all rights to apply to this Court or any other Court of competent jurisdiction for appropriate relief.

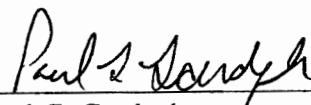
4. The undersigned counsel further agree, subject to the approval of the Court, to extend, until at least 60 days after the foregoing cases and any Related Actions have been coordinated or consolidated and any lead and liaison counsel have been identified for the proceedings, the time for submitting the proposed Case Management Plan specified in the Court's Pretrial Conference Notice.

DATED: September 28, 2015

SO ORDERED, at New York, N.Y.,

September 2015

October 8, 2015



Hon. Paul G. Gardephe
United States District Judge

tmc

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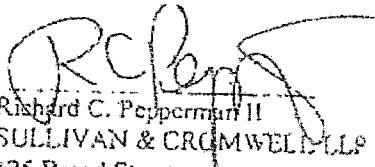
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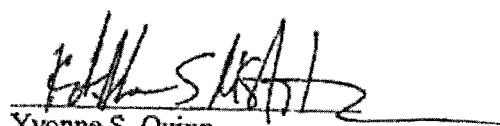
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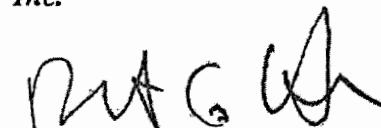
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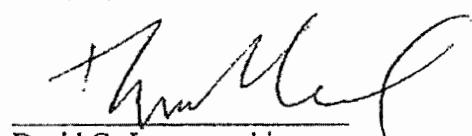
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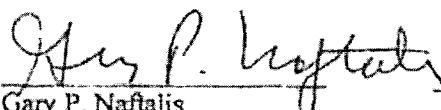
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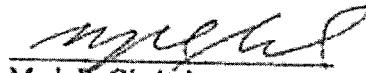
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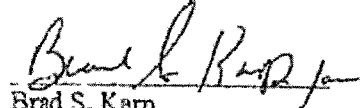
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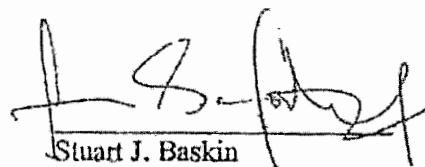
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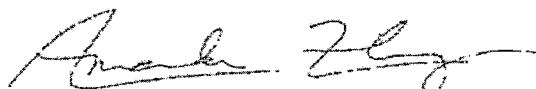
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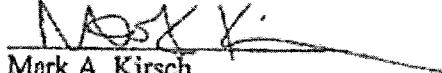
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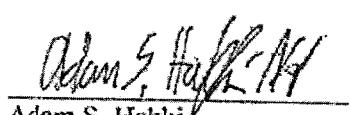
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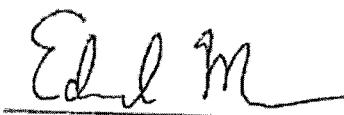

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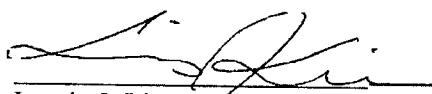
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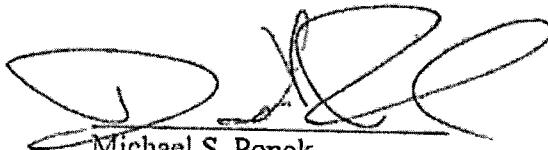
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